

Governor Wentworth Regional School District v. Governor Wentworth Education Association, NEA-New Hampshire, Decision No. 2011-193 (Case No. E-0101-2).

The District claimed that the Union violated RSA 273-A:5, II (d), (f), & (g) when it sought to arbitrate a non-renewal of a probationary teacher. The District argued that, per the parties' collective bargaining agreement (CBA), the only procedures to be followed in cases of teacher non-renewals were those set forth in RSA 189:13 and/or RSA 189:14-a; and that the CBA was not susceptible to an interpretation that would cover this dispute. The Union denied the charges and claimed that the subject of the grievance was not a non-renewal but rather a violation of the CBA which occurred when the District non-renewed the teacher.

The PELRB found that the Union violated RSA 273-A:5, II (d) when it insisted that the District arbitrate the dispute concerning a non-renewal because teacher non-renewals and terminations were not covered by the CBA but instead were governed by the provisions of RSA 189:13 and 14-a, and the parties had not agreed to arbitrate disputes concerning such matters. The PELRB ordered that the Union cease and desist in its demands to arbitrate the non-renewal grievance.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.